

### **REMARKS/ARGUMENTS**

The Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1, 2 and 5-13 are pending in the present application, and claims 5-13 are allowed. In this Amendment, claim 1 has been amended. The Examiner is respectfully requested to reconsider the rejection of claims 1-2 in view of the amendments to the claims and the remarks set forth below.

#### **The Rejection Of Claims 1 and 2 Rejection Under 35 U.S.C. § 103(a)**

The Examiner has rejected claims 1 and 2 under the provisions of 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent 6,254,536 ("Devito") in view of U.S. Patent 6,349,231 ("Musha"). The Applicant has amended claim 1 by adding the limitation that the display unit further displays an image corresponding to a user input key. The Applicant respectfully submits that amended claim 1 is patentable over DeVito in view of Musha.

#### **The Amendment of Claim 1**

Claim 1 has been amended to include an image corresponding to a user input key, and it is respectfully submitted that both DeVito and Musha do not disclose this feature. In the invention of claim 1 the display unit displays both an operation to be performed on the apparatus to be controlled and an image corresponding to a user input key. The user of the apparatus is able to see an operation description displayed

on the display unit, and the user is able to decide whether the operation displayed on the display unit is correct by activating the user input key which corresponds to an image displayed on the display unit.

The DeVito patent does not disclose displaying an operation description on a display unit and allowing the operator to associate a particular brain wave pattern to the operation. In column 12, lines 12-27, DeVito teaches that in a video game controller an event is recognized and translated into a control signal, and the control signal is mapped to a button which corresponds to a button on the video game controller. At best, DeVito discloses mapping events ("relaxed forehead", "lowered forehead", and "transition between raised and lower forehead") to control signals that correspond to depressing buttons A, B, C of the video game controller. It is respectfully submitted that in DeVito there is no disclosure of displaying an operation description on a display unit and allowing the operator to associate a particular brain wave pattern to the operation by displaying a user input key.

The Musha patent also does not disclose displaying an operation description on a display unit and allowing the operator to associate a particular brain wave pattern to the operation by also displaying a user input key. Musha may disclose displaying the "will" of a subject on the display 160 of Fig. 1, but it is respectfully submitted that there is no disclosure of displaying an image corresponding to a user input key on the display unit. Moreover, since the Musha patent is directed to "a subject who has lost the ability to express his/her will verbally or by bodily motion" (see col. 7, lines 8-12), there is no

motivation whatsoever to provide an image of a user input key. In fact, Musha appears to teach away from the claimed invention by directing his invention to those who have lost "bodily motion".

Accordingly, it is respectfully submitted that the invention of amended claim 1 is patentable over the combination of DeVito and Musha, and the Examiner is respectfully requested to withdraw the rejection of claim 1.

### **Dependent Claim 2**

The Applicant believes that dependent claim 2 is allowable over the prior art for at least the same reasons as independent claim 1 from which it depends.

### **Allowed Subject Matter**

The Examiner has indicated that claims 5-13 are allowed. Accordingly, it is respectfully submitted that all the claims are now in condition for allowance.

### **Conclusion**

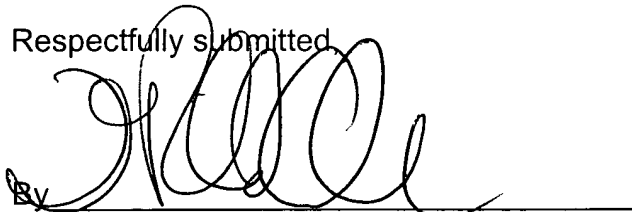
In view of the above amendments and remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Richard J. McGrath (Reg.

No. 29,195) at the telephone number of (703) 205-8000, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: November 30, 2005

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